



04-15-02. 0300 T.D. 1631

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of: MOSES *et al.*

APR 17 2002

Application No.: 09/724,935

Group Art Unit: 1631

TECH CENTER 1600/2900

Filed: November 28, 2000

Examiner: Borin, M.

For: PHARMACEUTICAL COMPOSITIONS  
COMPRISING TROPONIN SUBUNITS,  
FRAGMENTS AND HOMOLOGS  
THEREOF AND METHODS OF THEIR  
USE TO INHIBIT ANGIOGENESIS

Attorney Docket No.: 8657-038

**RESPONSE TO SPECIES ELECTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated March 15, 2002, in which the Examiner imposed a species election requirement, please consider the following remarks in connection with the above-identified patent application.

**REMARKS**

The Examiner has required an election under 35 U.S.C. § 121 of one of the following species: (i) human fast-twitch troponin subunit I (SEQ ID NO:2), (ii) human fast-twitch troponin subunit C (SEQ ID NO:1), and (iii) human fast-twitch troponin subunit T (SEQ ID NO:3). The Examiner contends that the claims are generic to method of use of a plurality of disclosed distinct species of polypeptides, the three species of troponin subunits listed in claim 1, which are not obvious variants of each other and require extensive searches.

In response, Applicants hereby elect human fast-twitch troponin subunit I (SEQ ID NO:2). Claims readable on the elected species are claims 1-4.